

Notice of Allowability

Application No.

09/803,974

Examiner

Qi Han

Applicant(s)

HOGENHOUT ET AL.

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/14/2005.
2. ☒ The allowed claim(s) is/are 1-30.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action as been withdrawn pursuant to 37 CFR 1.114.

Response to Amendment

2. This communication is responsive to the applicant's amendment dated 12/14/2005 and RCE examination filed on 12/14/2005. The Applicant(s) amended claims 1, 3, 15, 17, 28 and 30 (see the amendment: pages 2-9).

The examiner withdraws the drawing and claim objection, because the applicant made explanation or clarification (see the amendment: pages 10-11).

The examiner withdraws the claim rejection under 35 USC 112 2nd, because the applicant made amendment and/or clarification (see the amendment: pages 12-13), wherein claim 14 will be treated as an independent claim because it claims a different structural apparatus (a machine) from claim 1 (a user interface apparatus).

The examiner withdraws the claim rejection under 35 USC 103, because the applicant amended all independent claims and provided the arguments, which are persuasive (see the amendment: pages 13-24).

Allowable Subject Matter

3. Claims 1-30 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent **claims 1, 14, 15, 28 and 30**, the instant application is directed to an apparatus, method and program code for use with a machine which can execute a number of user instruction to reach one of multiple machine states. Each independent claim, combining certain well-known features in the art, identifies the uniquely distinct features of obtaining a current state of said machine by executing an instruction received from user; in response to obtained current state of said machine, generating a natural language instruction which could have been executed by said machine to achieve the current state of the machine, irrespective of the instruction which has actually been executed to achieve the current state; and outputting information to inform the user of the generated natural language instruction.

The prior art of record, JUNQUA et al. (US 6,415,257 B1), HOFFBERG et al. (US 6,400,996 B1), and Papineni et al. (US 6,246,981 B1), provided numerous teachings about speech processing related techniques, including using speech recognizer and natural language parser, user spoken input controlled device, on-screen prompts and synthesized speech queries, monitoring a status of a apparatus to determine the occurrence of various events, and natural language task-oriented dialog manger and computer generated response including confirming purchases and the related activities. However, the combined features as stated above, are not anticipated by, nor made obvious over the prior art of the record.

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4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Please address mail to be delivered by the United States Postal Service (USPS) as follows:

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Commissioner for Patents
P.O. Box 1450
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or faxed to: 571-273-8300, (for formal communications intended for entry)

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Effective January 14, 2005, except correspondence for Maintenance Fee payments, Deposit Account Replenishments (see 1.25(c)(4)), and Licensing and Review (see 37 CFR 5.1(c) and 5.2(c)), please address correspondence to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolater, etc.) as follows:

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qi Han whose telephone numbers is (571) 272-7604. The examiner can normally be reached on Monday through Thursday from 9:00 a.m. to 7:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil, can be reached on (571) 272-7602.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Inquiries regarding the status of submissions relating to an application or questions on the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at: ebc@uspto.gov. For general information about the PAIR system, see

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<http://pair-direct.uspto.gov>.

QH/qh

February 23, 2006



RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER